



BOBBY JINDAL
GOVERNOR

PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES
APR 22 2010

CERTIFIED MAIL 7009 2820 0003 4486 1183 -RETURN RECEIPT REQUEST

File No.: LA0002887
AI No.: 2432
Activity No.: PER20090002

Mr. Brent Croom, Manager, Waste & Water Quality
Cleco Power, LLC
Teche Power Station
Post Office Box 300
Baldwin, LA 70514

RE: Draft Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge once-through non-contact cooling water, low volume wastewaters, miscellaneous maintenance wastewaters, metal cleaning wastewater, hydrostatic test wastewater, and stormwater runoff to the Charenton Canal from an existing steam electric generating station located at 237 Newman Street, in Baldwin, St. Mary Parish.

Dear Mr. Croom:

The Department of Environmental Quality proposes to reissu an LPDES permit with the effluent limitations, monitoring requirements, and special conditions listed in the attached DRAFT PERMIT. Please note that this is a DRAFT PERMIT only and as such does not grant any authorization to discharge. Authorization to discharge in accordance with this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT. Upon the effective date of the FINAL PERMIT, the FINAL PERMIT shall replace the previously effective LPDES permit, LA0002887.

This Office will publish a public notice one time in a local newspaper of general circulation and the Office of Environmental Services Public Notice Mailing List. A copy of the public notice containing the specific requirements for commenting to this draft permit action will be sent under separate cover at the time the public notice is arranged. In accordance with LAC 33:IX.6521.A, the applicant shall receive and is responsible for paying the invoice from the above mentioned newspaper. LAC 33:IX.6521.A states: "...the costs of publication shall be borne by the applicant."

The invoice, fee rating worksheet, and a copy of the fee regulations will be sent under a separate cover letter as applicable. Please note that a copy of the fee rating worksheet is also attached to this draft permit. A copy of the entire Louisiana Water Quality Regulations may be obtained from the DEQ Office of Environmental Assessment, Post Office Box 4314, Baton Rouge, Louisiana 70821-4314, (225) 219-3236.

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Pursuant to LAC 33:IX.1309.I, LAC 33:IX.6509.A.1 and LAC 33:I.1701, you must pay any outstanding fees to the Department. Therefore, you are encouraged to verify the facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division (225) 219-3863. Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act, including, but not limited to revocation or suspension of the applicable permit, and/or assessment of a civil penalty against you.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fee, please feel free to contact Lisa Kemp, Office of Environmental Services, at the address on the preceding page, via email at lisa.kemp@la.gov, or by telephone at (225) 219-3105. To ensure that all correspondence regarding this facility is properly filed into the Department's Electronic Document Management System, please reference your Agency Interest (AI) number 2432 and LPDES permit number LA0002887 on all future correspondence to this Department.

Sincerely,



Jesse Chang
Environmental Scientist Manager
Industrial Water Permits

lwk

Attachment(s): draft permit, statement of basis/factsheet, and fee sheet

c: Lisa Kemp
Water Permits Division

IO-W File

ec: Melissa Reboul
Water Permits Division

Gayle Denino
Office of Management & Finance

Permit Compliance Unit
Office of Environmental Compliance

For Public Notice
Public Participation Group
Office of Environmental Assistance

Molly McKean
Water Permits Division

DRAFT



PERMIT NUMBER
LA0002887
AI No.: 2432

OFFICE OF ENVIRONMENTAL SERVICES
Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

Cleco Power, LLC
Teche Power Station
Post Office Box 300
Baldwin, LA 70514

Type Facility: steam electric generating station

Location: 237 Newman Street, in Baldwin
St. Mary Parish

Receiving Waters: Charenton Canal (060601)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on _____

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

DRAFT

Issued on _____

Cheryl Sonnier Nolan
Assistant Secretary

PART I

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Permit No. Draft LA0002887

AJ No. 2432

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T01, the continuous discharge of once-through non-contact cooling water from Units 1 and 2; previously monitored effluent from Outfalls T02, T03, T09, and T10; miscellaneous maintenance wastewaters (*1); and stormwater runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | <u>STORET Code</u> | <u>Discharge Limitations</u> | | | | <u>Monitoring Requirements</u> | |
|--|--------------------|------------------------------|---------------|-----------------------------------|----------------|--------------------------------|------------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD (*2) | 50050 | Report | Report | --- | --- | Continuous | Record |
| Temperature (*3) | 00011 | --- | --- | 106°F (*4) | 113° F (*4) | Continuous | Record |
| Total Residual Chlorine (*5) | 50060 | --- | 9.9 | --- | 0.2 | 1/week | Grab |
| pH Minimum/Maximum Values (Standard Units) | 00400 | --- | --- | 6.0 (*6) (Min) | 9.0 (*6) (Max) | 1/week | Grab |
| <u>WHOLE EFFLUENT (CHRONIC)</u> | | (Percent %, UNLESS STATED) | | | | | |
| <u>TOXICITY TESTING (*7) (*8)</u> | <u>STORET Code</u> | | | Monthly Avg Minimum | 7-Day Minimum | Measurement Frequency | Sample Type |
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TLP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TOP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Growth, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TPP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], TGP6C Growth, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coefficient of Variation, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TQP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall T01 continued)

| <u>Effluent Characteristic</u> | | <u>Discharge Limitations</u> | | <u>Monitoring Requirements</u> | | | |
|---|----------------|------------------------------|-----|---|------------------|--------------------------|------------------|
| <u>WHOLE EFFLUENT (CHRONIC)</u> | | | | Other units (Percent %, UNLESS STATED) | | | |
| <u>TOXICITY TESTING (*7) (*8)</u> | STORET Code | | | Monthly Avg Minimum | 7-Day Minimum | Measurement Frequency | Sample Type |
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TLP3B | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 7-Day Chronic <u>Ceriodaphnia dubia</u> | TOP3B | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Reproduction, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TPP3B | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], Growth, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TGP3B | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coefficient of Variation, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TQP3B | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T01, at the point where the combined effluent discharges to the Charenton Canal

FOOTNOTE(S):

- (*1) Miscellaneous maintenance wastewaters include, but are not limited to: fire system test water, eye wash station and safety shower water, steam condenser water, and general facility washwater.
- (*2) The use of pump rating curves to obtain the continuous flow measurement is adequate to monitor this discharge.
- (*3) Temperature shall be monitored when Units 1 and 2 are operating and the circulating pumps are running.
- (*4) See Part II, Paragraph Q.
- (*5) Total Residual Chlorine shall only be monitored during periods of chlorination or other biocide usage. Sample shall be representative of periods of chlorination, biocide usage, or other potentially toxic substance discharged on an intermittent basis.
- (*6) The permittee shall report on the Discharge Monitoring Report both the minimum and maximum instantaneous pH values measured.
- (*7) See Part II, Paragraph T for Biomonitoring Requirements.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall T01 continued)

- (*8) For the purpose of fulfilling the WET testing requirements, flow-weighted composite samples shall be collected from Outfalls T01 and T05 when Units 1, 2, and 3 are operating. However, if there is no discharge of once-through non-contact cooling water from Outfall T01 during the specified monitoring period then flow-weighted samples shall be collected from Outfall T05 only to fulfill the WET testing requirements. The permittee shall maintain a log to record the dates of commencement and cessation of operations for Units 1 and 2.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T02, the intermittent discharge of low volume wastewater from Units 1 and 2, miscellaneous maintenance wastewater (*1), and *de minimis* stormwater runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | <u>STORET Code</u> | <u>Discharge Limitations</u> | | | | <u>Monitoring Requirements</u> | |
|--------------------------------|--------------------|------------------------------|---------------|-----------------------------------|---------------|--------------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency (*2) | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | --- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T02, at the point where the combined effluent discharges prior to combining with other waters at Outfall T01.

FOOTNOTE(S):

(*1) Miscellaneous maintenance wastewaters include, but are not limited to: fire system test water, eye wash station and safety shower water, steam condenser water, and general facility washwater.

(*2) When discharging.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T03, the intermittent discharge of low volume wastewater including but not limited to boiler blowdown from Units 1 and 2.

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | <u>STORET Code</u> | <u>Discharge Limitations</u> | | | | <u>Monitoring Requirements</u> | |
|--------------------------------|--------------------|------------------------------|---------------|--------------------------------------|---------------|--------------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency (*1) | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | ---- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T03, at the point where the combined effluent discharges prior to combining with other waters at Outfall T01.

FOOTNOTE(S):

(*1) When discharging.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T04, the continuous discharge of low volume wastewater including but not limited to filter backwash, demineralizer wastewater, neutralization tank wastewater, and well water from sample coolers; and miscellaneous maintenance wastewater (*1).

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | <u>STORET Code</u> | <u>Discharge Limitations</u> | | <u>Other Units</u> | | <u>Monitoring Requirements</u> | |
|--------------------------------|--------------------|------------------------------|-----------------------|--------------------------|-----------------------|--------------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | (mg/L, UNLESS STATED) | (lbs/day, UNLESS STATED) | (mg/L, UNLESS STATED) | Measurement Frequency | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | --- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T04, at the point where the combined effluent discharges prior to combining with other waters at Outfall T05.

FOOTNOTE(S):

(*1) Miscellaneous maintenance wastewaters include, but are not limited to: fire system test water, eye wash station and safety shower water, steam condenser water, and general facility washwater.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T05, the continuous discharge of once-through non-contact cooling water from Unit 3 (under normal conditions, the boiler blowdown discharges from Outfall T07 become the make-up water for the once-through cooling water); previously monitored effluent from Outfalls T04, T08, and T09; miscellaneous maintenance wastewaters (*1), and stormwater runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

| Effluent Characteristic | STORET Code | Discharge Limitations | | Other Units | | Monitoring Requirements | |
|--|-------------|--------------------------|-----------------------|----------------------------|----------------|-------------------------|------------------|
| | | (lbs/day, UNLESS STATED) | (mg/L, UNLESS STATED) | Monthly Average | Daily Maximum | Measurement Frequency | Sample Type |
| Flow-MGD (*2) | 50050 | Report | Report | --- | --- | Continuous | Record |
| Temperature (*3) | 00011 | --- | --- | 116°F (*4) | 122° F (*4) | Continuous | Record |
| Total Residual Chlorine (*5) | 50060 | --- | 28.4 | --- | 0.2 | 1/week | Grab |
| pH Minimum/Maximum Values (Standard Units) | 00400 | --- | --- | 6.0 (*6) (Min) | 9.0 (*6) (Max) | 1/week | Grab |
| <u>WHOLE EFFLUENT (CHRONIC)</u> | | | | (Percent %, UNLESS STATED) | | | |
| <u>TOXICITY TESTING (*7) (*8)</u> | STORET Code | | | Monthly Avg Minimum | 7-Day Minimum | Measurement Frequency | Sample Type |
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TLP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TOP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Growth, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TPP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Pass/Fail [0/1], TGP6C Growth, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |
| NOEC, Value [%], Coefficient of Variation, Static Renewal, 7-Day Chronic, <u>Pimephales promelas</u> | TQP6C | --- | --- | Report | Report | 1/quarter | 24-hr. Composite |

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall T05 continued)

| <u>Effluent Characteristic</u> | <u>Discharge Limitations</u> | | <u>Monitoring Requirements</u> | | | |
|---|------------------------------|-----|---|------------------|--------------------------|-----------------------------------|
| | | | Other units (Percent %, UNLESS STATED) | | Measurement Frequency | Sample Type |
| <u>WHOLE EFFLUENT (CHRONIC)</u> <u>TOXICITY TESTING (*7) (*8)</u> | STORET Code | | Monthly Avg Minimum | 7-Day Minimum | | |
| NOEC, Pass/Fail [0/1], Lethality, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TLP3B | --- | --- | Report | Report | 1/quarter 24-hr. Composite |
| NOEC, Value [%], Lethality, Static Renewal, 7-Day Chronic <u>Ceriodaphnia dubia</u> | TOP3B | --- | --- | Report | Report | 1/quarter 24-hr. Composite |
| NOEC, Value [%], Reproduction, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TPP3B | --- | --- | Report | Report | 1/quarter 24-hr. Composite |
| NOEC, Pass/Fail [0/1], Growth, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TGP3B | --- | --- | Report | Report | 1/quarter 24-hr. Composite |
| NOEC, Value [%], Coefficient of Variation, Static Renewal, 7-Day Chronic, <u>Ceriodaphnia dubia</u> | TQP3B | --- | --- | Report | Report | 1/quarter 24-hr. Composite |

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T05, at the point where the combined effluent discharges to the Charenton Canal

FOOTNOTE(S):

- (*1) Miscellaneous maintenance wastewaters include, but are not limited to: fire system test water, eye wash station and safety shower water, steam condenser water, and general facility wastewater.
- (*2) The use of pump rating curves to obtain the continuous flow measurement is adequate to monitor this discharge.
- (*3) Temperature shall be monitored when Unit 3 is operating and the circulating pumps are running.
- (*4) See Part II, Paragraph Q.
- (*5) Total Residual Chlorine shall only be monitored during periods of chlorination or other biocide usage. Sample shall be representative of periods of chlorination, biocide usage, or other potentially toxic substance discharged on an intermittent basis.
- (*6) The permittee shall report on the Discharge Monitoring Report both the minimum and maximum instantaneous pH values measured.
- (*7) See Part II, Paragraph T for Biomonitoring Requirements.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Outfall T05 continued)

- (*8) For the purpose of fulfilling the WET testing requirements, flow-weighted composite samples shall be collected from Outfalls T01 and T05 when Units 1, 2, and 3 are operating. However, if there is no discharge of once-through non-contact cooling water from Outfall T01 during the specified monitoring period then flow-weighted samples shall be collected from Outfall T05 only to fulfill the WET testing requirements.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T06, the continuous discharge of low volume wastewater from Unit 3, miscellaneous maintenance wastewater (*1), previously monitored effluent from Outfall T09, and *de minimis* stormwater runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | <u>STORET Code</u> | <u>Discharge Limitations</u> | | <u>Other Units</u> | | <u>Monitoring Requirements</u> | |
|---|--------------------|------------------------------|-----------------------|--------------------------|-----------------------|--------------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | (mg/L, UNLESS STATED) | (lbs/day, UNLESS STATED) | (mg/L, UNLESS STATED) | Measurement Frequency | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | --- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |
| pH Minimum/Maximum Values (Standard Units) | 00400 | --- | --- | 6.0 (*2) (Min) | 9.0 (*2) (Max) | 1/week | Grab |

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T06, at the point where the combined effluent discharges, prior to combining with the waters of the Charenton Canal.

FOOTNOTE(S):

- (*1) Miscellaneous maintenance wastewaters include, but are not limited to: fire system test water, eye wash station and safety shower water, steam condenser water, and general facility washwater.
- (*2) The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T07, the intermittent discharge of low volume wastewater from Unit 3 including but not limited to: boiler blowdown, miscellaneous maintenance wastewater (*1), and previously monitored effluent from Outfall T09

Under normal operations, the boiler blowdown discharges become the make-up water for once-through non-contact cooling water at Outfall T05. Therefore, no discharge occurs from this outfall when Unit 3 is in operation and the circulating pumps are running for the once-through non-contact cooling water. However, when Unit 3 is not in operation, boiler blowdown discharges are routed via this outfall.

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | <u>STORET Code</u> | <u>Discharge Limitations</u> | | | | <u>Monitoring Requirements</u> | |
|---|--------------------|------------------------------|---------------|--------------------------------------|-------------------|--------------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency (*2) | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | --- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |
| pH Minimum/Maximum Values (Standard Units) | 00400 | --- | --- | 6.0 (*3) (Min) | 9.0 (*3) (Max) | 1/week | Grab |

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T07, at the point where the combined effluent discharges to the Charenton Canal.

FOOTNOTE(S):

- (*1) Miscellaneous maintenance wastewaters include, but are not limited to: fire system test water, eye wash station and safety shower water, steam condenser water, and general facility washwater.
- (*2) When discharging.
- (*3) pH shall be monitored only during periods when discharges are routed directly to the Charenton Canal. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T08, the intermittent discharge of metal cleaning wastewater.

Such discharges shall be limited and monitored by the permittee as specified below:

| <u>Effluent Characteristic</u> | | <u>Discharge Limitations</u> | | | | <u>Monitoring Requirements</u> | |
|--------------------------------|----------------|------------------------------|------------------|--------------------------------------|------------------|--------------------------------|----------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency (*1) | Sample Type |
| | STORET Code | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | --- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |
| Total Iron | 01045 | --- | --- | 1.0 | 1.0 | 1/week | Grab |
| Total Copper | 01042 | --- | --- | 1.0 | 1.0 | 1/week | Grab |

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T08, at the point of discharge from the treatment facility, prior to combining with other waters.

FOOTNOTE(S):

(*1) When discharging.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T09, the intermittent discharge of hydrostatic test wastewater.

Such discharges shall be limited and monitored by the permittee as specified below:

| Effluent Characteristic (*1) | STORET Code | Discharge Limitations | | | | Monitoring Requirements | |
|------------------------------|-------------|--------------------------|-------------------|-----------------------------------|-------------------|---------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency(*4) | Sample Type |
| | | Monthly Average(*2) | Daily Maximum(*3) | Monthly Average | Daily Maximum(*3) | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/discharge | Estimate |
| TSS (*5) | 00530 | --- | --- | --- | 90 | 1/discharge | Grab |
| Oil & Grease | 03582 | --- | --- | --- | 15 | 1/discharge | Grab |
| TOC | 00680 | --- | --- | --- | 50 | 1/discharge | Grab |
| Benzene | 34030 | --- | --- | --- | 50 µg/L | 1/discharge | Grab |
| Total BTEX (*6) | 49491 | --- | --- | --- | 250 µg/L | 1/discharge | Grab |
| Total Lead | 01051 | --- | --- | --- | 50 µg/L | 1/discharge | Grab |

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T09, at the point of discharge from the piping or vessel being tested or prior to discharge from the holding tank before combining with any other waters.

May be discharged through any final outfall.

FOOTNOTE(S):

- (*1) Flow, TSS, and Oil and Grease shall be measured on discharges from all new and existing pipelines, flowlines, vessels, or tanks. In addition, Total Organic Carbon (TOC) shall be measured on discharges from existing pipelines, flowlines, vessels, or tanks which have previously been in service; (i.e., those which are not new). Benzene, Total BTEX, and Total Lead shall be measured on discharges from existing pipelines, flowlines, vessels, or tanks which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons.
- (*2) The flow for the month with the highest monthly average flow shall be reported.
- (*3) The highest result from any individual hydrostatic test must be reported.
- (*4) Monitoring is required once prior to discharge.
- (*5) Report the TSS concentration of the intake on the DMR along with the concentration of TSS in the effluent, if the effluent is being returned to the same water source from which the intake water was obtained. In these cases, concurrent sampling of the influent and the effluent is required, and the net value shall not exceed 90 mg/L.
- (*6) BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, ortho-xylene, and para-xylene as quantified using methods prescribed by the latest approved 40 CFR 136, Tables, A-G.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall T10, the intermittent discharge of low volume wastewater from proposed Unit 4 including, but not limited to: maintenance washdown water and *de minimis* stormwater runoff.

Such discharges shall be limited and monitored by the permittee as specified below:

| Effluent Characteristic | STORET Code | Discharge Limitations | | | | Monitoring Requirements | |
|-------------------------|-------------|--------------------------|---------------|-----------------------------------|---------------|----------------------------|-------------|
| | | (lbs/day, UNLESS STATED) | | Other Units (mg/L, UNLESS STATED) | | Measurement Frequency (*1) | Sample Type |
| | | Monthly Average | Daily Maximum | Monthly Average | Daily Maximum | | |
| Flow-MGD | 50050 | Report | Report | --- | --- | 1/week | Estimate |
| TSS | 00530 | --- | ---- | 30 | 100 | 1/week | Grab |
| Oil & Grease | 03582 | --- | --- | 15 | 20 | 1/week | Grab |

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall T10, at the point of discharge from the oil/water separator, prior to combining with other waters at Outfall T01.

FOOTNOTE(S):

(*1) When discharging.

PART II

OTHER REQUIREMENTS

In addition to the standard conditions required in all permits and listed in Part III, the Office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

- A. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.
- B. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.
- C. For definitions of monitoring and sampling terminology see STANDARD CONDITIONS FOR LPDES PERMITS, Section F.

D. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.6.e.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

Pollutant(s):

Total Copper, Benzene, Total BTEX, and Total Lead

E. COMPOSITE SAMPLING

Unless otherwise specified in this permit, the term "24-hour composite sample" means a sample consisting of a minimum of four (4) aliquots of effluent collected at regular intervals over a normal 24-hour operating day and combined in proportion to flow or a sample continuously collected in proportion to flow over a normal 24-hour operating period.

F. 40 CFR PART 136 (Sec LAC 33:IX.4901) ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (See LAC 33:IX.4901).

G. FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III.C.6 of this permit. The daily flow value may be estimated using best engineering judgement.

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OTHER REQUIREMENTS (continued)

H. MINIMUM QUANTIFICATION LEVEL (MQL)

If any individual analytical test result is less than the minimum quantification level listed below, a value of zero (0) may be used for that individual result for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

| <u>NONCONVENTIONAL</u> | <u>MQL (µg/L)</u> |
|-------------------------------------|-------------------|
| Phenolics, Total Recoverable (4AAP) | 5 |
| Chlorine (Total Residual) | 100 |
| 3-Chlorophenol | 10 |
| 4-Chlorophenol | 10 |
| 2,3-Dichlorophenol | 10 |
| 2,5-Dichlorophenol | 10 |
| 2,6-Dichlorophenol | 10 |
| 3,4-Dichlorophenol | 10 |
| 2,4-D | 10 |
| 2,4,5-TP (Silvex) | 4 |

| <u>METALS AND CYANIDE</u> | <u>MQL (µg/L)</u> |
|---------------------------|-------------------|
| Antimony (Total) | 60 |
| Arsenic (Total) | 10 |
| Beryllium (Total) | 5 |
| Cadmium (Total) | 1 |
| Chromium (Total) | 10 |
| Chromium (3+) | 10 |
| Chromium (6+) | 10 |
| Copper (Total) | 10 |
| Lead (Total) | 5 |
| Mercury (Total) | 0.2 |
| Molybdenum (Total) | 30 |
| Nickel (Total) Freshwater | 40 |
| Nickel (Total) Marine | 5 |
| Selenium (Total) | 5 |
| Silver (Total) | 2 |
| Thallium (Total) | 10 |
| Zinc (Total) | 20 |
| Cyanide (Total) | 20 |

| <u>DIOXIN</u> | <u>MQL (µg/L)</u> |
|---------------|-------------------|
| 2,3,7,8-TCDD | 0.00001 |

| <u>VOLATILE COMPOUNDS</u> | <u>MQL (µg/L)</u> |
|---------------------------|-------------------|
| Acrolein | 50 |
| Acrylonitrile | 50 |
| Benzene | 10 |
| Bromoform | 10 |
| Carbon Tetrachloride | 10 |
| Chlorobenzene | 10 |
| Chlorodibromomethane | 10 |

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OTHER REQUIREMENTS (continued)

| | |
|---------------------------------|----|
| Chloroethane | 50 |
| 2-Chloroethylvinylether | 10 |
| Chloroform | 10 |
| 1,2-Dichlorobenzene | 10 |
| 1,3-Dichlorobenzene | 10 |
| 1,4-Dichlorobenzene | 10 |
| Dichlorobromomethane | 10 |
| 1,1-Dichloroethane | 10 |
| 1,2-Dichloroethane | 10 |
| 1,1-Dichloroethylene | 10 |
| 1,2-Dichloropropane | 10 |
| 1,3-Dichloropropylene | 10 |
| Ethylbenzene | 10 |
| Methyl Bromide [Bromomethane] | 50 |
| Methyl Chloride [Chloromethane] | 50 |
| Methylene Chloride | 20 |
| 1,1,2,2-Tetrachloroethane | 10 |
| Tetrachloroethylene | 10 |
| Toluene | 10 |
| 1,2-trans-Dichloroethylene | 10 |
| 1,1,1-Trichloroethane | 10 |
| 1,1,2-Trichloroethane | 10 |
| Trichloroethylene | 10 |
| Vinyl Chloride | 10 |

ACID COMPOUNDSMQL (µg/L)

| | |
|---|----|
| 2-Chlorophenol | 10 |
| 2,4-Dichlorophenol | 10 |
| 2,4-Dimethylphenol | 10 |
| 4,6-Dinitro-o-Cresol [2-Methyl-4,6-Dinitrophenol] | 50 |
| 2,4-Dinitrophenol | 50 |
| 2-Nitrophenol | 20 |
| 4-Nitrophenol | 50 |
| p-Chloro-m-Cresol [4-Chloro-3-Methylphenol] | 10 |
| Pentachlorophenol | 50 |
| Phenol | 10 |
| 2,4,6-Trichlorophenol | 10 |

BASE/NEUTRAL COMPOUNDSMQL (µg/L)

| | |
|-----------------------------|----|
| Acenaphthene | 10 |
| Acenaphthylene | 10 |
| Anthracene | 10 |
| Benzidine | 50 |
| Benzo(a)anthracene | 10 |
| Benzo(a)pyrene | 10 |
| 3,4-Benzofluoranthene | 10 |
| Benzo(ghi)perylene | 20 |
| Benzo(k)fluoranthene | 10 |
| Bis(2-chloroethoxy) Methane | 10 |
| Bis(2-chloroethyl) Ether | 10 |

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OTHER REQUIREMENTS (continued)

| | |
|---|----|
| Bis(2-chloroisopropyl) Ether | 10 |
| Bis(2-ethylhexyl) Phthalate | 10 |
| 4-Bromophenyl Phenyl Ether | 10 |
| Butylbenzyl Phthalate | 10 |
| 2-Chloronaphthalene | 10 |
| 4-Chlorophenyl Phenyl Ether | 10 |
| Chrysene | 10 |
| Dibenzo(a,h)anthracene | 20 |
| 3,3'-Dichlorobenzidine | 50 |
| Diethyl Phthalate | 10 |
| Dimethyl Phthalate | 10 |
| Di-n-Butyl Phthalate | 10 |
| 2,4-Dinitrotoluene | 10 |
| 2,6-Dinitrotoluene | 10 |
| Di-n-octyl Phthalate | 10 |
| 1,2-Diphenylhydrazine | 20 |
| Fluoranthene | 10 |
| Fluorene | 10 |
| Hexachlorobenzene | 10 |
| Hexachlorobutadiene | 10 |
| Hexachlorocyclopentadiene | 10 |
| Hexachloroethane | 20 |
| Indeno(1,2,3-cd)pyrene [2,3-o-Phenylene Pyrene] | 20 |
| Isophorone | 10 |
| Naphthalene | 10 |
| Nitrobenzene | 10 |
| n-Nitrosodimethylamine | 50 |
| n-Nitrosodi-n-Propylamine | 20 |
| n-Nitrosodiphenylamine | 20 |
| Phenanthrene | 10 |
| Pyrene | 10 |
| 1,2,4-Trichlorobenzene | 10 |

PESTICIDES

| | <u>MQL (µg/L)</u> |
|---------------------|-------------------|
| Aldrin | 0.05 |
| Alpha-BHC | 0.05 |
| Beta-BHC | 0.05 |
| Gamma-BHC [Lindane] | 0.05 |
| Delta-BHC | 0.05 |
| Chlordane | 0.2 |
| 4,4'-DDT | 0.1 |
| 4,4'-DDE [p,p-DDX] | 0.1 |
| 4,4'-DDD [p,p-TDE] | 0.1 |
| Dieldrin | 0.1 |
| Alpha-Endosulfan | 0.1 |
| Beta-Endosulfan | 0.1 |
| Endosulfan Sulfate | 0.1 |
| Endrin | 0.1 |

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OTHER REQUIREMENTS (continued)

| | |
|--|------|
| Endrin Aldehyde | 0.1 |
| Heptachlor | 0.05 |
| Heptachlor Epoxide [BHC-Hexachlorocyclohexane] | 0.05 |
| PCB-1242 | 1.0 |
| PCB-1254 | 1.0 |
| PCB-1221 | 1.0 |
| PCB-1232 | 1.0 |
| PCB-1248 | 1.0 |
| PCB-1260 | 1.0 |
| PCB-1016 | 1.0 |
| Toxaphene | 5.0 |

The permittee may develop an effluent specific method detection limit (MDL) in accordance with Appendix B to 40 CFR Part 136 (See LAC 33:IX.4901). For any pollutant for which the permittee determines an effluent specific MDL, the permittee shall send to this Office a report containing QA/QC documentation, analytical results, and calculations necessary to demonstrate that the effluent specific MDL was correctly calculated. An effluent specific minimum quantification level (MQL) shall be determined in accordance with the following calculation:

$$MQL = 3.3 \times MDL$$

Upon written approval by this Office, the effluent specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.

- I. The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

the effective date of the permit

J. PERMIT REOPENER CLAUSE

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act or more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's, if the effluent standard, limitations, water quality studies or TMDL's so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2. Controls any pollutant not limited in the permit; or
3. Require reassessment due to change in 303(d) status of waterbody; or

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OTHER REQUIREMENTS (continued)

4. Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

K. PROHIBITION OF PCB DISCHARGES

There shall be no discharge of polychlorinated biphenyls (PCB's). The minimum quantification level for PCB's is 1.0 µg/l. If any individual analytical test result for PCB's is less than the minimum quantification level, then a value of zero (0) shall be used for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

L. LOW VOLUME WASTE SOURCES

The term "low volume waste sources" means, taken collectively as if from one source, wastewater from all sources except those for which specific limitations are otherwise established. Low volume waste sources include, but are not limited to: wastewaters from wet scrubber air pollution control systems, ion exchange water treatment systems, water treatment evaporator blowdown, laboratory and sampling streams, boiler blowdown, floor drains, cooling tower basin cleaning wastes, and recirculating house service water systems. Sanitary and air conditioning wastewaters are not included.

M. TOTAL RESIDUAL CHLORINE

The term "total residual chlorine" (or total residual oxidants for intake water with bromides) means the value obtained using the amperometric method for total residual chlorine described in 40 CFR Part 136.

Total residual chlorine may not be discharged from any single generating unit for more than two hours per day.

Simultaneous multi-unit chlorination is permitted.

N. METAL CLEANING WASTE

The term "metal cleaning waste" means any wastewater resulting from cleaning (with or without chemical cleaning compounds) any metal process equipment including, but not limited to, boiler tube cleaning, boiler fireside cleaning, and air preheater cleaning.

O. CHEMICAL METAL CLEANING WASTE

The term "chemical metal cleaning waste" means any wastewater resulting from the cleaning of any metal process equipment with chemical compounds, including, but not limited to, boiler tube cleaning.

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OTHER REQUIREMENTS (continued)

P. PROHIBITION OF 126 PRIORITY POLLUTANTS

There shall be no discharge of any 126 priority pollutants (40 CFR 423 Appendix A) associated with the chemicals added for cooling tower maintenance, except total chromium and total zinc. The minimum quantification levels for the 126 priority pollutants are found in Part II, Paragraph H.

Q. TEMPERATURE

Daily temperature discharge is defined as the flow-weighted average (FWAT) and, on a daily basis, shall be monitored and recorded in accordance with Part I of this permit. FWAT shall be calculated at equal time intervals not greater than two hours. The method of calculating FWAT is as follows:

$$\text{FWAT} = \frac{\text{SUMMATION (INSTANTANEOUS FLOW X INSTANTANEOUS TEMPERATURE)}}{\text{SUMMATION (INSTANTANEOUS FLOW)}}$$

"Daily average temperature" (also known as monthly average) shall be the arithmetic average of all FWATs calculated during the calendar month.

"Daily maximum temperature" (also known as daily maximum) shall be the highest FWAT calculated during the calendar month.

R. DISCHARGE MONITORING REPORTS

Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement. The permittee shall make available to this Department, upon request, copies of all monitoring data required by this permit.

If there is no discharge during the reporting period, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report for that outfall.

Monitoring results for each reporting period shall be summarized on a Discharge Monitoring Report (DMR) Form (one DMR form per monitoring period per outfall) and submitted to the Office of Environmental Compliance either hand delivered, postmarked, or electronically submitted in accordance with LAC 33:1.2101.A and B no later than the 15th day of the month following each reporting period.

1. For parameter(s) with monitoring frequencies of 1/month or more frequent (i.e. continuous, 1/batch, 1/discharge event, 1/day, 3/week, 2/week, 1/week, 2/month, etc.), DMRs shall be submitted in accordance with the following schedule:

No later than the 15th day of the following month.

2. For parameter(s) that require a monitoring frequency of 1/ 2 months, DMRs shall be submitted in accordance with the following schedule:

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OTHER REQUIREMENTS (continued)

Monitoring PeriodDMR Postmark Date

January 1 - February 28(29)
 March 1 - April 30
 May 1 - June 30
 July 1 - August 31
 September 1 - October 31
 November 1 - December 31

March 15th
 May 15th
 July 15th
 September 15th
 November 15th
 January 15th

3. For parameter(s) that require a monitoring frequency of quarterly, DMRs shall be submitted in accordance with the following schedule:

Monitoring PeriodDMR Postmark Date

January, February, March
 April, May, June
 July, August, September
 October, November, December

April 15th
 July 15th
 October 15th
 January 15th

4. For parameter(s) that require a semiannual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

Monitoring PeriodDMR Postmark Date

January - June
 July - December

July 15th
 January 15th

5. For parameter(s) that require an annual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

Monitoring PeriodDMR Postmark Date

January-December

January 15th

For facilities with individually permitted hydrostatic test water discharges, the monitoring results for each hydrostatic test shall be summarized and reported on a Discharge Monitoring Report (DMR) form EPA 3320-1 or an approved substitute, and submitted to the Office of Environmental Compliance on a quarterly basis (in accordance with the quarterly submittal schedule above). If there is no discharge during an entire quarter, the DMR shall be submitted with "No Discharge" written in the upper right corner of the DMR.

If not submitting electronically, duplicate copies of DMR's (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503, and all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit at the following address:

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OTHER REQUIREMENTS (continued)

Department of Environmental Quality
 Office of Environmental Compliance
 Permit Compliance Unit
 Post Office Box 4312
 Baton Rouge, Louisiana 70821-4312

S. 316(b) PHASE II RULE REQUIREMENTS

1. On July 6, 2004, EPA promulgated 'Phase II' regulations in accordance with section 316(b) of the Clean Water Act (CWA). On January 25, 2007, the Second U.S. Circuit Court of Appeals remanded several provisions of the Phase II rule. On March 20, 2007, EPA issued a memo saying, "the rule should be considered suspended". On July 9, 2007, EPA published a Federal Register notice suspending all parts of the Phase II regulations except 40 CFR 125.90(b) [LAC 33:IX.4731.B].

According to EPA, 316(b) 'Phase II' regulations are under complete reconsideration at this time. LAC 33:IX.4731.B provides for regulating cooling water intake structures for existing facilities on a case-by-case basis using best professional judgment.

When EPA re-promulgates the Phase II regulations, the provisions and timelines in the rule will supersede any requirements contained in this permit.

In order to reduce the environmental impact caused by the cooling water intake structure (CWIS), the permittee shall comply with effective regulations promulgated in accordance with section 316(b) of the CWA for cooling water intake structures. The permittee shall at all times operate and maintain the existing cooling water intake structure (CWIS) as described in the assessment document received on January 30, 2009 entitled *LPDES Section 316(b) Submittal*. The permittee has submitted information to DEQ characterizing the fish/shellfish in the vicinity of the CWIS and assessing impingement mortality and entrainment (IM&E). The permittee shall submit the information listed in item 2 to assess how structural or operational actions reduce adverse environmental impacts caused by the cooling water intake. Based on the information submitted to DEQ, the permit may be reopened to incorporate limitations and/or requirements for the CWIS.

2. The permittee must submit the following information to DEQ within four (4) years from the effective date of this permit.
 - a. Assessment of the cooling water system. This includes:
 - (1) A discussion or description of how structural or operational actions that are currently in place reduce adverse environmental impacts caused by the cooling water intake.
 - (2) A discussion of additional structural or operational actions, if any, that have been reviewed or evaluated as possible measures to further reduce environmental impacts caused by the cooling water intake.
3. The following special definitions apply to this subpart:

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OTHER REQUIREMENTS (continued)

- a. **Baseline conditions** means the impingement mortality and entrainment that would occur at your site assuming that (1) the cooling water system has been designed as a once-through system, (2) the opening of the CWIS is located at, and the face of the standard 3/8-inch mesh traveling screen is oriented parallel to, the shoreline near the surface of the source water body.
- b. **Closed-cycle recirculating system** means a system designed, using minimized makeup and blow down flows, to withdraw water from a natural or other water source to support contact and/or non-contact cooling uses within a facility. The water is usually sent to a cooling canal or channel, lake, pond, or tower to allow waste heat to be dissipated to the atmosphere and then is returned to the system. (Some facilities divert the waste heat to other process operations.) New source water (make-up water) is added to the system to replenish losses that have occurred due to blow down, drift, and evaporation.
- c. **Cooling water** means water used for contact or non-contact cooling, including water used for equipment cooling, evaporative cooling tower makeup, and dilution of effluent heat content. The intended use of the cooling water is to absorb waste heat rejected from the process or processes used, or from auxiliary operations on the facility's premises.
- d. **Cooling water intake structure** means the total physical structure and any associated constructed waterways used to withdraw cooling water from waters of the U.S. The cooling water intake structure extends from the point at which water is withdrawn from the surface water source up to, and including, the intake pumps.
- e. **Intake flow** means the value of the total volume of water withdrawn from a source water body over a specific time period.
- f. **Intake velocity** means the value of the average speed at which intake water passes through the open area of the intake screen (or other device) against which organisms might be impinged or through which they might be entrained.
- g. **Entrainment** means the incorporation of all life stages of fish and shellfish with intake water flow entering and passing through a cooling water intake structure and into a cooling water system.
- h. **Hydraulic zone of influence** means that portion of the source water body hydraulically affected by the cooling water intake structure withdrawal of water.
- i. **Impingement** means the entrapment of all life stages of fish and shellfish on the outer part of an intake structure or against a screening device during periods of intake water withdrawal.
- j. **Maximize** means to increase to the greatest amount, extent, or degree reasonably possible.
- k. **Minimize** means to reduce to the smallest amount, extent, or degree reasonably possible.

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OTHER REQUIREMENTS (continued)

1. **Source water** means the water body (waters of the state) from which the cooling water is withdrawn.

T. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC: FRESHWATER)

It is unlawful and a violation of this permit for a permittee or the designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by the Louisiana Department of Environmental Quality.

1. SCOPE AND METHODOLOGY

- a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

| | |
|---------------------------|------------------------------------|
| APPLICABLE TO OUTFALL(S): | T01 and T05 |
| CRITICAL DILUTION: | 55% |
| EFFLUENT DILUTION SERIES: | 23%, 31%, 42%, 55%, and 74% |
| SAMPLE TYPE: | 24-Hour Composite |
| TEST SPECIES/METHODS: | 40 CFR Part 136 |

Ceriodaphnia dubia chronic static renewal survival and reproduction test, Method 1002.0, EPA-821-R-02-013, or the most recent update thereof. This test should be terminated when 60% of the surviving females in the control produce three broods or at the end of eight days, whichever comes first.

Pimephales promelas (Fathead minnow) chronic static renewal 7-day larval survival and growth test, Method 1000.0, EPA-821-R-02-013, or the most recent update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

- b. The survival NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. The NOEC for growth or reproduction is defined as the greatest effluent dilution at and below which sub-lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur.

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OTHER REQUIREMENTS (continued)

- c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.
- d. Lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

{OPTION 1: FACILITIES CONDUCTING TESTING AT A FREQUENCY OTHER THAN MONTHLY}**2. PERSISTENT LETHAL and/or SUB-LETHAL EFFECTS**

The requirements of this section apply only when a toxicity test demonstrates significant lethal and/or sub-lethal effects at or below the critical dilution.

If any valid test demonstrates significant lethal or sub-lethal effects to a test species at or below the critical dilution, the frequency of testing for that species is automatically increased to once per quarter for the term of the permit.

- a. The permittee shall conduct a total of three (3) additional tests for any species that demonstrates statistically significant lethal or sub-lethal toxic effects at the critical dilution or lower effluent dilutions. The additional tests shall be conducted monthly during the next three consecutive months in which a discharge occurs to determine if toxicity is persistent or occurs on a periodic basis. The purpose of this testing is to determine whether toxicity is present at a level and frequency that will provide toxic sample results to use in performing a Toxicity Reduction Evaluation (TRE). If no additional test failures occur during the retest monitoring period, the testing frequency will be once per quarter for the term of the permit or until another test failure occurs. The permittee may substitute one of the additional tests in lieu of one routine toxicity test. A full report shall be prepared for each test required by this section in accordance with procedures outlined in item 4 of this section and submitted with the period discharge monitoring report (DMR) to the permitting authority for review.
- b. **IF LETHAL EFFECTS HAVE BEEN DEMONSTRATED:** If any of the valid additional tests demonstrates significant lethal effects at or below the critical dilution, the permittee shall initiate Toxicity Reduction Evaluation (TRE) requirements as specified in item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure of any retest, and the TRE initiation date

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will be the test completion date of the first failed retest. A TRE may also be required due to a demonstration of intermittent lethal effects at or below the critical dilution, or for failure to perform the required retests.

- c. IF ONLY SUB-LETHAL EFFECTS HAVE BEEN DEMONSTRATED: If any two of the three valid additional tests demonstrate significant sub-lethal effects at 75% effluent dilution or lower, the permittee shall initiate the Toxicity Reduction Evaluation (TRE) requirements (emphasizing investigations pertaining to sub-lethal toxicity) as specified in Item 6 of this section. The permittee shall notify the Department of Environmental Quality, Office of Environmental Compliance - Permit Compliance Unit in writing within 5 days of the failure of any retest, and the TRE initiation date will be the test completion date of the second failed retest. A TRE concentrating on sub-lethal effects may also be required for failure to perform the required tests.
- d. The provisions of item 2.a are suspended upon submittal of the **TRE Action Plan**.

3. REQUIRED TOXICITY TESTING CONDITIONSa. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

- i. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.
- ii. The mean number of Ceriodaphnia dubia neonates produced per surviving female in the control (0% effluent) must be 15 or more.
- iii. 60% of the surviving control females must produce three broods.
- iv. The mean dry weight of surviving Fathead minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.25 mg per larva or greater.
- v. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the Fathead minnow test.
- vi. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal or nonlethal effects are exhibited

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for: the young of surviving females in the Ceriodaphnia dubia reproduction test; the growth and survival endpoints of the Fathead minnow test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

- i. For the Ceriodaphnia dubia survival test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be Fisher's Exact Test as described in EPA-821-R-02-013, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report a survival NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

- ii. For the Ceriodaphnia dubia reproduction test and the Fathead minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-013, or the most recent update thereof.

c. Dilution Water

- i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness and alkalinity to the closest downstream perennial water for;
 - A. toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and
 - B. toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.
- ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to

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fulfill the test acceptance criteria of item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

- A. a synthetic dilution water control which fulfills the test acceptance requirements of item 3.a was run concurrently with the receiving water control;
- B. the test indicating receiving water toxicity has been carried out to completion (i.e., 7 days);
- C. the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 4 below; and
- D. the synthetic dilution water shall have a pH, hardness and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites

- i. The permittee shall collect a minimum of three flow-weighted 24-hour composite samples from the outfall(s) listed at item 1.a above. A 24-hour composite sample consists of a minimum of 4 effluent portions collected at equal time intervals representative of a 24-hour operating day and combined proportional to flow or a sample continuously collected proportional to flow over a 24-hour operating day.
- ii. The permittee shall collect second and third 24-hour composite samples for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the 24-hour composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.
- iii. The permittee must collect the 24-hour composite samples so that the maximum holding time for any effluent sample shall not exceed 72 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first 24-hour composite sample. Samples shall be chilled to 0-6 degrees Centigrade during collection, shipping and/or storage.

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- iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in item 4 of this section.

{OPTION 2: FOR MULTIPLE OUTFALLS TO BE COMBINED}

- v. The permittee shall combine the 24-hour composite effluent samples in proportion to the average flow from the outfalls listed in item 1.a above for the day the sample was collected. The permittee shall perform the toxicity test on the flow-weighted composite of the outfall samples.

{OPTION 3: MUNICIPAL PERMITTEES NOW CHLORINATING WHO AGREE TO DECHLORINATE}

- vi. The permittee shall have the sample dechlorinated in the laboratory prior to installation of dechlorination systems. However, upon operation of dechlorination systems, the permittee shall not allow the sample to be dechlorinated at the laboratory.

4. REPORTING

- a. A valid test must be completed and test results must be submitted for each species during each Monitoring Period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA-821-R-02-013, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to the following address:

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Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

In addition, if enforcement authority has been retained by EPA, a copy of the report must also be submitted to the following address:

U.S. Environmental Protection Agency, Region 6
Water Enforcement Branch, 6 EN-WC
1445 Ross Ave.
Dallas, Texas 75202

- b. The permittee shall submit the results of each valid toxicity test on the DMR for that Monitoring Period in accordance with Part III. D.4 and the DMR Monitoring Period schedule contained in Part II of this permit. Submit retest information clearly marked as such on the DMR for the Monitoring Period in which the retest occurred. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 1 Summary Sheet with each valid test.

i. Pimephales promelas (Fathead Minnow)

- A. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP6C.
- B. Report the NOEC value for survival, Parameter No. TOP6C.
- C. Report the NOEC value for growth, Parameter No. TPP6C.
- D. If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6C.
- E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6C.

ii. Ceriodaphnia dubia

- A. If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP3B.
- B. Report the NOEC value for survival, Parameter No. TOP3B.

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- C. Report the NOEC value for reproduction, Parameter No. TPP3B.
 - D. If the No Observed Effect Concentration (NOEC) for reproduction is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3B.
 - E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP3B.
- iii. The permittee shall report the following results for all VALID toxicity retests on the DMR for that Monitoring Period.
- A. Retest #1 (STORET 22415): If the first monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

Retest #1 (STORET 22418): If the first monthly retest following failure of a routine test for either test species results in an NOEC for growth or reproduction that is less than the critical dilution, report a "1"; otherwise, report a "0".
 - B. Retest #2 (STORET 22416): If the second monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

Retest #2 (STORET 22419): If the second monthly retest following failure of a routine test for either test species results in an NOEC for growth or reproduction that is less than the critical dilution, report a "1"; otherwise, report a "0".
 - C. Retest #3 (STORET 51443): If the third monthly retest following failure of a routine test for either test species results in an NOEC for survival less than the critical dilution, report a "1"; otherwise, report a "0".

Retest #3 (STORET 51444): If the third monthly retest following failure of a routine test for either test species results in an NOEC for growth or reproduction that is less than the critical dilution, report a "1"; otherwise, report a "0".
- If, for any reason, a retest cannot be performed during the Monitoring Period in which the triggering routine test failure is experienced, the permittee shall

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report it on the following Monitoring Period's DMR, and the comments section of the DMRs shall be annotated to that effect. If retesting is not required during a given Monitoring Period, the permittee shall leave these DMR fields blank.

The permittee shall submit the toxicity testing information contained in Table 1 of this permit with the DMR subsequent to each and every toxicity test Monitoring Period. The DMR and the summary table should be sent to the address indicated in 4.a.

5. TOXICITY REDUCTION EVALUATION (TRE)

- a. The permittee shall submit a **Toxicity Reduction Evaluation (TRE) Action Plan and Schedule** for conducting a TRE for the following:
 - i. If lethal effects have been demonstrated: within (90) days of confirming lethality in any retest; or
 - ii. If only sub-lethal effects have been demonstrated: within (90) days of confirming sub-lethality at 75% effluent dilution or lower in any two out of three retests.

The **TRE Action Plan** shall specify the approach and methodology to be used in performing the TRE. A Toxicity Reduction Evaluation is an investigation intended to determine those actions necessary to achieve compliance with water quality-based effluent requirements and/or chemical-specific limits by reducing an effluent's toxicity (includes sub-lethal toxicity, if applicable) to an acceptable level. A TRE is defined as a step-wise process which combines toxicity testing and analyses of the physical and chemical characteristics of a toxic effluent to identify the constituents causing effluent lethal and/or sub-lethal toxicity and/or treatment methods which will reduce the effluent toxicity. The **TRE Action Plan** shall lead to the successful elimination of effluent lethal and/or sub-lethal toxicity at the critical dilution and include the following:

- i. **Specific Activities.** The plan shall detail the specific approach the permittee intends to utilize in conducting the TRE. The approach may include toxicity characterizations, identifications and confirmation activities, source evaluation, treatability studies, or alternative approaches. When the permittee conducts Toxicity Characterization Procedures the permittee shall perform multiple characterizations and follow the procedures specified in the documents "**Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity**

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Characterization Procedures" (EPA-600/6-91/003) and "Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I" (EPA-600/6-91/005), or alternate procedures. When the permittee conducts Toxicity Identification Evaluations and Confirmations, the permittee shall perform multiple identifications and follow the methods specified in the documents "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081), as appropriate;

The documents referenced above may be obtained through the National Technical Information Service (NTIS) by phone at 1-800-553-6847, or by writing:

U.S. Department of Commerce
National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161

- ii. Sampling Plan (e.g., locations, methods, holding times, chain of custody, preservation, etc.). The effluent sample volume collected for all tests shall be adequate to perform the toxicity test, toxicity characterization, identification and confirmation procedures, and conduct chemical specific analyses when a probable toxicant has been identified;

Where the permittee has identified or suspects specific pollutant(s) and/or source(s) of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical specific analyses for the identified and/or suspected pollutant(s) and/or source(s) of effluent toxicity. Where lethality was demonstrated within 48 hours of test initiation, each 24-hour composite sample shall be analyzed independently. Otherwise the permittee may substitute a composite sample, comprised of equal portions of the individual 24-hour composite samples, for the chemical specific analysis;

- iii. Quality Assurance Plan (e.g., QA/QC implementation, corrective actions, etc.); and

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- iv. Project Organization (e.g., project staff, project manager, consulting services, etc.).
- b. The permittee shall initiate the **TRE Action Plan** within thirty (30) days of plan and schedule submittal. The permittee shall assume all risks for failure to achieve the required toxicity reduction.
- c. The permittee shall submit a quarterly **TRE Activities Report**, with the Discharge Monitoring Report in the months of January, April, July, and October, containing information on toxicity reduction evaluation activities including:
 - i. any data and/or substantiating documentation which identify the pollutant(s) and/or source(s) of effluent lethal and/or sub-lethal toxicity;
 - ii. any studies/evaluations and results on the treatability of the facility's effluent lethal and/or sub-lethal toxicity; and
 - iii. any data which identify effluent toxicity control mechanisms that will reduce effluent toxicity to achieve compliance with permit biomonitoring requirements and/or chemical-specific limits.

The **TRE Activities Report** shall be submitted to the following addresses:

Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

U.S. Environmental Protection Agency, Region 6
Water Enforcement Branch
1445 Ross Avenue
Dallas, Texas 75202

- d. The permittee shall submit a Final Report on Toxicity Reduction Evaluation Activities no later than twenty-eight (28) months from confirming lethality and/or sub-lethality (if applicable) in the retests, which provides information pertaining to the specific control mechanism selected that will, when implemented, result in the permittee achieving compliance with permit biomonitoring requirements and/or chemical-specific limits. The report will also provide a specific corrective action schedule for implementing the

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selected control mechanism.

A copy of the Final Report on Toxicity Reduction Evaluation Activities shall also be submitted to the above addresses.

- e. Quarterly testing during the TRE is a minimum monitoring requirement. LDEQ recommends that permittees required to perform a TRE not rely on quarterly testing alone to ensure success in the TRE, and that additional screening tests be performed to capture toxic samples for identification of toxicants. At the end of the TRE, LDEQ will consider all information submitted and establish appropriate controls to prevent future toxic discharges, including WET and/or chemical-specific limits per state regulations at LAC 33:IX.2707.D.1.e.

3. Are the test results to be considered valid? _____ Yes _____ No
If X no (test invalid), what reasons for invalidity?
4. Is this a retest of a previous invalid test? _____ Yes _____ No
Is this a retest of a previous test failure? _____ Yes _____ No
5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Ceriodaphnia:
- a. NOEC SURVIVAL = _____ % effluent
- b. NOEC REPRODUCTION = _____ % effluent

Preliminary Draft

TABLE 1
SUMMARY SHEET
Pimephales promelas ("fathead minnow") SURVIVAL AND GROWTH TEST

PERMITTEE: Cleco Power, LLC
 FACILITY SITE: Teche Power Station
 LPDES PERMIT NUMBER: LA0002887, AI 2432
 OUTFALL IDENTIFICATION: T01 and T05
 OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGE
 BIOMONITORING LABORATORY: _____
 DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
 CRITICAL DILUTION 55 % DATE TEST INITIATED _____

1. LOW-FLOW LETHALITY:

Is the mean survival at 7 days significantly less ($p=0.05$) than the control survival at the low-flow or critical dilution? _____ Yes _____ No

PERCENT SURVIVAL - Pimephales

| PERCENT EFFLUENT | % SURVIVAL / REPLICATES | | | | MEAN % SURVIVAL | | | CV % |
|------------------|-------------------------|---|---|---|-----------------|-------|-------|------|
| | A | B | C | D | 24-HR | 48-HR | 7 DAY | |
| 0% | | | | | | | | |
| 23% | | | | | | | | |
| 31% | | | | | | | | |
| 42% | | | | | | | | |
| 55% | | | | | | | | |
| 74 % | | | | | | | | |

2. LOW-FLOW SUB-LETHALITY:

Is the mean dry weight (growth) at 7 days significantly less ($p=0.05$) than the control's dry weight (growth) for the low-flow or critical dilution? _____ Yes _____ No

DATA TABLE FOR GROWTH - Pimephales

| PERCENT EFFLUENT | AVERAGE DRY WEIGHT IN MILLIGRAMS IN REPLICATE CHAMBERS | | | | | MEAN DRY WEIGHT | CV%* |
|------------------|--|---|---|---|---|-----------------|------|
| | A | B | C | D | E | | |
| 0% | | | | | | | |
| 23% | | | | | | | |
| 31% | | | | | | | |
| 42% | | | | | | | |
| 55% | | | | | | | |
| 74% | | | | | | | |

* Coefficient of variation = standard deviation x 100/mean

3. Are the test results to be considered valid? ☐ Yes ☐ No
If X no (test invalid), what reasons for invalidity?
4. Is this a retest of a previous invalid test? ☐ Yes ☐ No
Is this a retest of a previous test failure? ☐ Yes ☐ No
5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Pimephales:
- a. NOEC SURVIVAL = % effluent
- b. NOEC GROWTH = % effluent

PART III
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction

In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions

- a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).
- b. Any person may be assessed an administrative penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

- a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.
- b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

- a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

- b. **General Permits.** General permits expire five years after the effective date. The 180-day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit, and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

6. Permit Action

This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

- a. Noncompliance by the permittee with any condition of the permit;
- b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
- c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
- d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or
- e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;
- f. Change of ownership or operational control;

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability

If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

14. Facilities Requiring Approval from Other State Agencies

In accordance with La R.S.40.4(A)(6) the plans and specifications of all sanitary sewerage treatment systems, both public and private, must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La R.S.40.1149, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La R.S.48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

SECTION B. PROPER OPERATION AND MAINTENANCE**1. Need to Halt or Reduce not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

- a. **Bypass.** The intentional diversion of waste streams from any portion of a treatment facility.
- b. **Bypass not exceeding limitations.** The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.
- c. **Notice**
 - (1) **Anticipated bypass.** If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least ten days before the date of the bypass.
 - (2) **Unanticipated bypass.** The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.
- d. **Prohibition of bypass**
 - (1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
 - (c) The permittee submitted notices as required by Section B.4.c of these standard conditions.
 - (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

- a. **Upset.** An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. **Conditions necessary for a demonstration of upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and

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(4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal

For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry

The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

(1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.

(2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

- f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.
- g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records

Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The time(s) analyses were begun;
- e. The individual(s) who performed the analyses;
- f. The analytical techniques or methods used;
- g. The results of such analyses; and
- h. The results of all quality control procedures.

5. Monitoring Procedures

- a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.
- b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
- c. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastes, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the

"Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982 "U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
- b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
- c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties

- a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.
- b. LA R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non compliance.

8. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR Part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation

- a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
 - (1) Submitted on behalf of any facility, as defined in R.S.30:2004;
 - (2) Required as part of any permit application;
 - (3) Required by order of the department;
 - (4) Required to be included on any monitoring reports submitted to the department;
 - (5) Required to be submitted by contractor
 - (6) Otherwise required by department regulations.

- b. The department laboratory accreditation program, Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not (LELAP) accredited will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

- c. Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under DIVISIONS → LABORATORY SERVICES at the following link:

<http://www.deq.louisiana.gov>

Questions concerning the program may be directed to (225) 219-9800.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.
- c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2903. A.2.b), or a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Part I or Part II of this permit.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92-500's and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit
Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, LA 70821-4312

Copies of blank DMR templates, plus instructions for completing them, and EPA's LPDES Reporting Handbook are available at the department website located at:

<http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2276>

5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification**a. Emergency Notification**

As required by LAC 33:I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

b. Prompt Notification

As required by LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Subchapter E, but does not cause an emergency condition, the discharger shall promptly notify the department within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) in accordance with LAC 33:I.3923.

In accordance with LAC 33:I.3923, prompt notification shall be provided within a time frame not to exceed 24 hours and shall be given to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) as follows:

- (1) by the Online Incident Reporting screens found at
<http://www3.deq.louisiana.gov/surveillance/irf/forms/> ;or

- (2) by e-mail utilizing the Incident Report Form and instructions found at <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=279>; or
 - (3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.
- c. Content of Prompt Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:
 - (1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;
 - (2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;
 - (3) the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;
 - (4) the extent of any injuries and identification of any known personnel hazards that response agencies may face;
 - (5) the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants;
 - (6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.
- d. Written Notification Procedures. Written reports for any unauthorized discharge that requires notification under Section D.6.a. or 6.b., or shall be submitted by the discharger to the Office of Environmental Compliance, Surveillance Division SPOC in accordance with LAC 33:IX.3925 within seven calendar days after the notification required by D.6.a. or 6.b., unless otherwise provided for in a valid permit or other department regulation. Written notification reports shall include, but not be limited to, the following information:
 - (1) the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this section;
 - (2) the time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;
 - (3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;
 - (4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:
 - (a) the current permitted limit for the pollutant(s) released; and
 - (b) the permitted release point/outfall ID.
 - (5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);

- (6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;
- (7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.
- (8) Written notification reports shall be submitted to the Office of Environmental Compliance, Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked **"UNAUTHORIZED DISCHARGE NOTIFICATION REPORT."**

Please see LAC 33:I.3925.B for additional written notification procedures.

- e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and, steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
- (2) Any upset which exceeds any effluent limitation in the permit;
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances

In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Water Permits Division as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:
 - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or
 - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or
 - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:
 - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) Five hundred micrograms per liter (500 µg/L);
 - (2) One milligram per liter (1 mg/L) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
 - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or
 - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

10. Signatory Requirements

All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,
 - (b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a.(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a.(1)(b) rather than to specific individuals.

- (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
- (3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

- b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,

- (3) The written authorization is submitted to the state administrative authority.

- c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

- d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1-et seq.

Claims of confidentiality for the following will be denied:

- a. The name and address of any permit applicant or permittee;
- b. Permit applications, permits, and effluent data.
- c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

1. Criminal

a. Negligent Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under

the LPDES is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than \$10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than \$20,000 per day of violation, or imprisonment of not more than 4 years, or both.

2. Civil Penalties

The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than \$32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(PLEASE NOTE: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).
2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.

4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.
5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.
6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with R.S.49:1001 et seq.
7. Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.
8. Daily Maximum discharge limitation means the highest allowable "daily discharge".
9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.
10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.
11. Domestic sewage means waste and wastewater from humans, or household operations that is discharged to or otherwise enters a treatment works.
12. Environmental Protection Agency or (EPA) means the U.S. Environmental Protection Agency.
13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.
14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
15. LEQA means the Louisiana Environmental Quality Act.
16. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

17. Monthly Average, other than for fecal coliform bacteria, discharge limitations are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes monthly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the monthly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar month.

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

18. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.
19. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
20. Sewage sludge means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; portable toilet pumpings, type III marine sanitation device pumpings (33 CFR part 159); and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.
21. Stormwater Runoff—aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.
22. Surface Water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.
23. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)
24. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.

25. The term MGD shall mean million gallons per day.

26. The term GPD shall mean gallons per day.

27. The term mg/L shall mean milligrams per liter or parts per million (ppm).
28. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.9).
29. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.
30. The term µg/L shall mean micrograms per liter or parts per billion (ppb).
31. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).
32. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.
33. Wastewater—liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.
34. Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.
35. Weekly average, other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

36. Sanitary Wastewater Term(s):

- a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.
- b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

- c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.
- d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.